

### **AMENDMENTS TO THE CLAIMS**

The following listing of claims will replace all prior versions and listings of claims in the application.

#### **LISTING OF CLAIMS**

1. (Currently Amended) A recording medium—~~including recorded data~~, comprising: copy protection indicating information indicating whether or not the recording medium contains copy protection information for use in encrypting/decrypting the recorded data, wherein the copy protection indicating information and/or the copy protection information are recorded in wobbled ~~pre-pit patterns~~ on an area of the recording medium.

2. (Currently Amended) The recording medium according to claim 1, wherein the data is reproduced utilizing the copy protection information if the recording medium contains copy protection information ~~for use in decrypting the data~~based on the copy protection indicating information, or the data is reproduced directly without utilizing the copy protection information, if the recording medium does not contain copy protection information based on the copy protection indicating information~~for use in decrypting the data~~.

3. (Currently Amended) The recording medium according to claim 2, wherein the recording medium does not contain copy protection information for use in encrypting/decrypting the data if the copy protection indicating information indicates the recording medium does not contain copy protection information.

4. (Currently Amended) The recording medium according to claim 2, wherein the recording medium does not contain copy protection information for use in encrypting/decrypting the data if the copy protection indicating information indicates the recording medium contains copy protection information, but a value of the copy protection information indicates that copy protection information is not present.

5. (Currently Amended) The recording medium according to claim 2, wherein the recording medium contains copy protection information for use in encrypting/decrypting the data when the copy protection indicating information indicates the recording medium contains copy protection information and a value of the copy protection information indicates that copy protection information is present.

6. (Original) The recording medium according to claim 5, wherein decrypting the data utilizing the copy protection information precedes playback of the data.

7. (Currently Amended) A method of forming an area of a recording medium, comprising:  
forming a recordable area for storing ~~recorded~~ data; forming an area on the recording medium for storing copy protection indicating information indicating whether or not the recording medium contains copy protection information for use in encrypting/decrypting the ~~recorded~~ data, wherein the copy protection indicating information and/or the copy protection information are formed as wobbled ~~pre-pit~~ patterns on an area of the recording medium.

8. (Currently Amended) The method according to claim 7, wherein the copy protection indicating information is recorded in a lead-in area of the recording medium ~~the data may be~~

~~reproduced utilizing the copy protection information if the recording medium contains copy protection information for use in decrypting the data, or the data may be reproduced directly without utilizing the copy protection information, if the recording medium does not contain copy protection information for use in decrypting the data.~~

9. (Currently Amended) The method according to claim 8, wherein ~~the recording medium does not contain copy protection information for use in decrypting the data if the copy protection~~ indicating information indicates is included within control information recorded in a lead-in area of the recording medium does not contain copy protection information.

10. (Currently Amended) The method according to claim ~~8~~7, ~~wherein~~ wherein the recording medium does not contain copy protection information for use in decrypting the data if the copy protection indicating information is recorded in an area more inward than a lead-in area of ~~indicates the recording medium contains copy protection information, but a value of the copy protection information indicates that copy protection information is not present.~~

11. (Currently Amended) The method according to claim ~~8~~10, ~~wherein the recording medium contains copy protection information for use in decrypting the data when the copy protection indicating information indicates the recording medium contains copy protection information and a value of the copy protection information indicates that copy protection information is present~~ the area is a burst cutting area (BCA).

12. (Currently Amended) The method according to claim ~~11~~7, wherein ~~decrypting the data utilizing the copy protection indicating information and/or the copy protection information precedes playback of the data~~are recorded by a phase modulated method.

13. (Currently Amended) A method of reproducing data from a recording medium, comprising: utilizing copy protection indicating information to indicate whether or not the recording medium contains copy protection information for use in encrypting/decrypting the data, to reproduce the data, wherein the copy protection indicating information and/or the copy protection information are recorded in wobbled ~~pre-pit~~ patterns on an area of the recording medium.

14. (Currently Amended) The method according to claim 13, further comprising reproducing the data utilizing the copy protection information if the recording medium contains copy protection information for use in encrypting/decrypting the data, or reproducing the data directly without utilizing the copy protection information, if the recording medium does not contain copy protection information for use in encrypting/decrypting the data.

15. (Currently Amended) The method according to claim 14, wherein the reproducing includes detecting bi-phased modulated data and detecting the copy protection information using the bi-phased modulated data if the recording medium does not contain copy protection information for use in encrypting/decrypting the data if based on the copy protection indicating information indicates the recording medium does not contain copy protection information.

16. (Currently Amended) The method according to claim 14, wherein the reproducing includes (i) checking whether the copy protection indicating information is detected, (ii) reproducing data directly if the copy protection indicating information is not detected, and (iii) reproducing data utilizing the copy protection information if the copy protection indicating information is detected~~the recording medium does not contain copy protection information for use in decrypting the data if the copy protection indicating information indicates the recording medium contains~~

~~copy protection information, but a value of the copy protection information indicates that copy protection information is not present.~~

17. (Currently Amended) The method according to claim ~~14~~16, wherein the (iii) further includes (iii') determining whether the copy protection indicating information is active if the copy protection indicating information is detected, (iii'') reproducing data directly if the copy protection indicating information is not active, and (iii''') detecting the copy protection information and reproducing the data utilizing the detected copy protection information if the copy protection indicating information is active ~~the recording medium contains copy protection information for use in decrypting the data when the copy protection indicating information indicates the recording medium contains copy protection information and a value of the copy protection information indicates that copy protection information is present.~~

18. (Currently Amended) The method according to claim 17, wherein in (iii''') ~~said playing reproducing~~ includes decrypting the data utilizing the copy protection information.

19. (Currently Amended) A method for playing data of a recording medium, comprising:

detecting copy protection indicating information indicating whether or not the recording medium contains copy protection information for use in encrypting/decrypting the data, wherein the copy protection indicating information and/or the copy protection information are recorded in wobbled pre-pit patterns on an area of the recording medium; and

playing the data utilizing the copy protection information if the recording medium contains copy protection information for use in encrypting/decrypting the data, or playing the data directly without utilizing the copy protection information, if the recording medium does not contain copy protection information for use in decrypting the data, based on the detected copy

indicating information.

20. (Currently Amended) The method according to claim 19, wherein the recording medium does not contain copy protection information for use in encrypting/decrypting the data if the copy protection indicating information indicates the recording medium does not contain copy protection information.

21. (Currently Amended) The method according to claim 19, wherein the recording medium does not contain copy protection information for use in encrypting/decrypting the data if the copy protection indicating information indicates the recording medium contains copy protection information, but a value of the copy protection information indicates that copy protection information is not present.

22. (Currently Amended) The method according to claim 19, wherein the recording medium contains copy protection information for use in encrypting/decrypting the data when the copy protection indicating information indicates the recording medium contains copy protection information and a value of the copy protection information indicates that copy protection information is present.

23. (Original) The method according to claim 22, wherein said playing includes decrypting the data utilizing the copy protection information.

24. (Currently Amended) A method of recording data on a recording medium, comprising:  
utilizing copy protection indicating information to indicate whether or not the recording medium contains copy protection information for use in encrypting/decrypting the data wherein the copy

protection indicating information and/or the copy protection information are recorded in wobbled  
~~pre-pit~~-pattern on an area of the recording medium; and  
recording the data based on the copy protection information.

25. (Currently Amended) The method according to claim 24, wherein the data may be  
~~reproduced~~-recorded utilizing the copy protection information if the recording medium contains  
copy protection information for use in encrypting/decrypting the data, or the data may be  
~~reproduced~~-recorded directly without utilizing the copy protection information, if the recording  
medium does not contain copy protection information for use in encrypting/decrypting the data.

26. (Currently Amended) The method according to claim 25, wherein the recording medium  
does not contain copy protection information for use in encrypting/decrypting the data if the  
copy protection indicating information indicates the recording medium does not contain copy  
protection information, wherein the recording records the data without encryption.

27. (Currently Amended) The method according to claim 25, wherein the recording medium  
does not contain copy protection information for use in encrypting/decrypting the data if the  
copy protection indicating information indicates the recording medium contains copy protection  
information, but a value of the copy protection information indicates that copy protection  
information is not present, wherein the recording records the data without encryption.

28. (Currently Amended) The method according to claim 25, wherein the recording medium  
contains copy protection information for use in encrypting/decrypting the data when the copy  
protection indicating information indicates the recording medium contains copy protection  
information and a value of the copy protection information indicates that copy protection

information is present, wherein the recording records the data encrypted utilizing the copy protection information.

29. (Currently Amended) The method according to claim 28, wherein ~~decrypting~~encrypting the data utilizing the copy protection information precedes ~~playback~~recording of the data.

30. (Currently Amended) An apparatus for reproducing data from a recording medium, said apparatus utilizing copy protection indicating information to determine whether or not the recording medium contains copy protection information for use in encrypting/decrypting the data, to reproduce the data based on the copy protection indicating information and the copy protection information, wherein the copy protection indicating information and/or the copy protection information are recorded in wobbled ~~pre-pit~~ pattern on an area of the recording medium.

31. (Currently Amended) The apparatus according to claim 30, wherein said apparatus reproduces the data utilizing the copy protection information if the recording medium contains copy protection information for use in encrypting/decrypting the data, or reproduces the data directly without utilizing the copy protection information, if the recording medium does not contain copy protection information for use in decrypting the data.

32. (Currently Amended) The apparatus according to claim 31, wherein said apparatus ~~determines-reproduces the recording medium does not contain copy protection information for use in decrypting the data~~ directly if the copy protection indicating information indicates the recording medium does not contain copy protection information.



33. (Currently Amended) The apparatus according to claim 31, wherein said apparatus ~~determines~~ reproduces ~~the recording medium does not contain copy protection information for use in decrypting the data~~ directly if the copy protection indicating information indicates the recording medium contains copy protection information, but a value of the copy protection information indicates that copy protection information is not present.

34. (Currently Amended) The apparatus according to claim 31, wherein said apparatus ~~determines~~ reproduces ~~the recording medium contains copy protection information for use in decrypting the data~~ with the copy protection information when the copy protection indicating information indicates the recording medium contains copy protection information and a value of the copy protection information indicates that copy protection information is present.

35. (Original) The apparatus according to claim 34, wherein said apparatus decrypts the data utilizing the copy protection information.

36. (Currently Amended) An apparatus for reproducing data from a recording medium, comprising:

a detector detecting signals recorded on the recording medium, the signal including copy protection indicating information to determine whether or not the recording medium contains copy protection information for use in encrypting/decrypting the data, wherein the copy protection indicating information and/or the copy protection information are recorded in wobbled ~~pre-pit~~ pattern on an area of the recording medium; and

a signal processor for playing the data utilizing the copy protection information if the recording medium contains copy protection information for use in encrypting/decrypting the data, or playing the data directly without utilizing the copy protection information, if the recording

medium does not contain copy protection information for use in decrypting the data based on the copy protection indicating information.

37. (Currently Amended) The apparatus according to claim 36, wherein said signal processor ~~determines-processes the recording medium does not contain copy protection information for use in decrypting the data~~ directly if the copy protection indicating information indicates the recording medium does not contain copy protection information.

38. (Currently Amended) The apparatus according to claim 36, wherein said signal processor ~~determines-processes the recording medium does not contain copy protection information for use in decrypting the data~~ directly if the copy protection indicating information indicates the recording medium contains copy protection information, but a value of the copy protection information indicates that copy protection information is not present.

39. (Currently Amended) The apparatus according to claim 36, wherein said signal processor ~~determines-processes the recording medium contains copy protection information for use in decrypting the data~~ utilizing the copy protection information when the copy protection indicating information indicates the recording medium contains copy protection information and a value of the copy protection information indicates that copy protection information is present.

40. (Original) The apparatus according to claim 39, wherein said signal processor decrypts the data utilizing the copy protection information.

41. (New) The apparatus according to claim 36, wherein the detector includes a detector unit detecting the copy protection indicating information and/or the copy protection information recorded in wobbled patterns.

42. (New) The recording medium according to claim 1, wherein the copy protection information is key information required for use in encrypting/decrypting the data.

43. (New) The recording medium according to claim 42, wherein the copy protection indicating information is recorded in a lead-in area of the recording medium.

44. (New) The recording medium according to claim 43, wherein the copy protection indicating information is included within control information recorded in the lead-in area of the recording medium.

45. (New) The recording medium according to claim 42, wherein the copy protection indicating information is recorded in an area more inward than a lead-in area of the recording medium.

46. (New) The recording medium according to claim 45, wherein the area is a burst cutting area (BCA).

47. (New) The recording medium according to claim 1, wherein the copy protection indicating information and/or the copy protection information are recorded by a phase modulated method.

48. (New) The recording medium according to claim 1, wherein the copy protection indicating information and/or the copy protection information are recorded in wobbled pre-pit patterns on the area of the recording medium.